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MAXLINEAR, INC. and MAXLINEAR  
COMMUNICATIONS LLC

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

ENTROPIC COMMUNICATIONS,  
LLC,

Plaintiff,

v.

DISH NETWORK CORPORATION,  
et al.,

Defendants.

DISH NETWORK CORPORATION;  
DISH NETWORK L.L.C.; DISH  
NETWORK SERVICE L.L.C.; DISH  
NETWORK CALIFORNIA  
SERVICE CORPORATION; AND  
DISH TECHNOLOGIES, L.L.C.,

Counter-Claimants,

v.

ENTROPIC COMMUNICATIONS,  
LLC; MAXLINEAR, INC.; AND  
MAXLINEAR COMMUNICATIONS  
LLC,

Counter-Defendants.

Case No. 2:23-cv-1043-JWH-KES (Lead  
Case)

**COUNTER-DEFENDANTS  
MAXLINEAR, INC. AND  
MAXLINEAR COMMUNICATIONS  
LLC'S APPLICATION FOR LEAVE  
TO FILE UNDER SEAL REPLY IN  
SUPPORT OF MOTION TO DISMISS  
(1) AMENDED COUNTERCLAIMS BY  
DISH NETWORK CALIFORNIA  
SERVICE CORPORATION; AND  
(2) COUNTERCLAIMS BY DISH  
NETWORK CORPORATION, DISH  
NETWORK L.L.C., DISH NETWORK  
SERVICE L.L.C., AND DISH  
TECHNOLOGIES, L.L.C.**

**JURY TRIAL DEMANDED**

Action Filed: Feb. 10, 2023  
Am. Counterclaims and Counterclaims  
Filed: Jan. 31, 2024

**Hearing:**

Date: March 29, 2024  
Time: 9:00 a.m.  
Place: Courtroom 9D, Santa Ana  
Judge: Hon. John W. Holcomb

Pursuant to Local Rule 79-5.2.2(a) and (b) governing documents to be filed under seal, Counter-Defendants MaxLinear, Inc. and MaxLinear Communications LLC (collectively, “MaxLinear”) hereby submit their Application for Leave to File Under Seal a Reply in Support of MaxLinear’s Motion to Dismiss (1) Amended Counterclaims by Dish Network California Service Corporation (“Dish California”) and (2) Counterclaims by Dish Network Corporation, Dish Network L.L.C., Dish Network Service L.L.C., and Dish Technologies, L.L.C. (collectively with Dish California, “Dish”).

MaxLinear seeks leave to file under seal highlighted portions of MaxLinear’s Reply that quote from or reference Exhibit 8 (ECF No. 316-7) or Exhibit 9 (ECF No. 316-8) to Dish’s Amended Answer and Counterclaims, for which the Court granted Dish’s application to file under seal (ECF No. 310).

MaxLinear also seeks leave to file under seal highlighted portions of MaxLinear’s Reply that quote from or reference Exhibit B (ECF No. 372) to MaxLinear’s previously filed Request for Judicial Notice (ECF No. 360). The Court granted MaxLinear’s application to file under seal Exhibit B (ECF No. 368).

| Document to be sealed  | Portions to be sealed (page:line(s))                               |
|--|--|
| Portions of MaxLinear’s Reply that quote from or reference Exhibit 8 (ECF No. 316-7) or Exhibit 9 (ECF No. 316-8) to Dish’s Amended Answer and Counterclaims or Exhibit B (ECF No. 372) to MaxLinear’s previously filed Request for Judicial Notice (ECF No. 360). | 8:21-25; 9:12; 9:16-17; 9:28; 10:4-6; 10:13-14; 11:5; 12:10; 12:13 |

Exhibit 8 to Dish’s Amended Answer and Counterclaims (ECF No. 316-7) is

1 a Patent Purchase Agreement executed by MaxLinear and Plaintiff Entropic  
 2 Communications, LLC that has been designated “RESTRICTED – ATTORNEYS’  
 3 EYES ONLY.” Entropic does not oppose MaxLinear’s under seal filing.  
 4 (Declaration of Rose S. Lee (“Lee Decl.”) ¶ 5.)

5 Dish designated the document in Exhibit B as “Highly Confidential –  
 6 Attorneys’ Eyes Only” under the operative protective order (ECF No. 156). (Lee  
 7 Decl. ¶ 7.) Dish filed the document in Exhibit 9 under seal pursuant to Local Rule  
 8 79-5.2.2(a). (Lee Decl. ¶ 9.) Dish confirmed that it did not oppose filing the  
 9 portions of the Reply under seal. (*Id.* ¶ 11.)

10 Pursuant to Local Rule 79-5.2.2(a) and (b), MaxLinear applies to file under  
 11 seal the document listed above. Under Rule 79-5.2.2(a), a party may seek leave to  
 12 file a document under seal so long as the Application describes the nature of the  
 13 information that should be closed to public inspection and is accompanied by: (1) a  
 14 declaration establishing good cause why the strong presumption of public access in  
 15 civil cases should be overcome and informing the Court whether anyone opposes the  
 16 Application; (2) a proposed order; (3) a redacted version of the relevant documents;  
 17 and (4) an unredacted version of the relevant documents. MaxLinear has complied  
 18 with these requirements. The information that MaxLinear seeks to seal under Rule  
 19 79-5.2.2(a) and (b) is contained within (1) a confidential agreement between  
 20 MaxLinear, Inc. and Entropic Communications, LLC; and (2) a document that Dish  
 21 designated as “Highly Confidential – Attorneys’ Eyes Only” under the operative  
 22 protective order (ECF No. 156); and (3) a document previously filed under seal by  
 23 Dish in this action pursuant to Rule 79-5.2.2(a). The public does not have an  
 24 interest in accessing this confidential information. Additionally, MaxLinear’s  
 25 request is narrowly tailored to only prevent the public from viewing confidential  
 26 information. Finally, Entropic and Dish do not oppose MaxLinear’s under seal  
 27 filing.

28 This Application is accompanied by a Declaration of Rose S. Lee and a

1 Proposed Order.

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3 Dated: March 15, 2024

MORRISON & FOERSTER LLP

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5 By: /s/ Rose S. Lee  
Rose S. Lee

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